

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2011-109061-001 DT

12/20/2013

HON. DAWN M. BERGIN

CLERK OF THE COURT

B. Navarro

Deputy

STATE OF ARIZONA

AARON HARDER

GREGORY J NAVAZO

v.

BARRY THOMAS JORDAN (001)

DOB: June 15, 1964

DAVID A CUTRER

ATTORNEY GENERAL

AZ STATE HOSPITAL

CORRECTIONAL HEALTH SERVICES

COURT FORENSIC SERVICES UNIT

CUSTOMER SERVICE

D & C MATERIALS-CSC

DISPOSITION CLERK-CSC

PSYCHIATRIC SECURITY REVIEW

BOARD

VERDICT - GUILTY EXCEPT INSANE

2:09 p.m.

State's Attorney:	Aaron Harder
Defendant's Attorney:	David A. Cutrer
Defendant:	Present
Court Reporter:	Rochelle Dobbins

LET THE RECORD REFLECT that prior to calling this matter on the record, Court and counsel met and conferred, informally, in Chambers.

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Betty Bolze, the deceased Victim's great grandmother, reads a letter to the Court.

Terri Skinner, the deceased Victim's grandmother, presents statements to the Court.

The Victim Advocate reads a letter from Victim Riley Beckwith, who is present.

Victim Melia Shumaker presents statements to the Court.

The Court having entered a verdict on August 1, 2013,

IT IS THE JUDGMENT OF THE COURT that the Defendant is guilty except insane of the crimes in the Indictment:

OFFENSE: Count 1: SECOND DEGREE MURDER

Class 1 Felony and a Dangerous Crime Against Children

A.R.S. § 13-1101, 13-1104, 13-705, 28-3001, 28-3004, 28-3005, 28-3315, 13-710, 13-701, 13-702, and 13-801

Date of Offense: February 19, 2011

Dangerous pursuant to A.R.S. § 13-704 - Non Repetitive

OFFENSE: Count 2: AGGRAVATED ASSAULT

Class 3 Felony

A.R.S. § 13-1203, 13-1204, 28-3304, 28-3001, 28-3304, 28-3005, 28-3315, 13-701, 13-702, and 13-801

Date of Offense: February 19, 2011

Dangerous pursuant to A.R.S. § 13-704 - Non Repetitive

OFFENSE: Count 3: AGGRAVATED ASSAULT

Class 3 Felony

A.R.S. § 13-1203, 13-1204, 28-3304, 28-3001, 28-3304, 28-3005, 28-3315, 13-701, 13-702, and 13-801

Date of Offense: February 19, 2011

Dangerous pursuant to A.R.S. § 13-704 - Non Repetitive

OFFENSE: Count 4: ENDANGERMENT

Class 6 Felony

A.R.S. § 13-1201, 28-3001, 28-3004, 28-3005, 28-3315, 13-701, 13-702, 13-801, and 13-

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Date of Offense: February 19, 2011
Dangerous pursuant to A.R.S. § 13-704 - Non Repetitive

OFFENSE: Count 5: ENDANGERMENT
Class 6 Felony

A.R.S. § 13-1201, 28-3001, 28-3004, 28-3005, 28-3315, 13-701, 13-702, 13-801, and 13-

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Date of Offense: February 19, 2011
Dangerous pursuant to A.R.S. § 13-704 - Non Repetitive

THE COURT HAVING FOUND that the acts committed by the Defendant did cause death, physical injury or the threat of death or physical injury to another person,

IT IS ORDERED, pursuant to A.R.S. Section 13-502(D), that the Defendant is sentenced to a term of imprisonment and committed to the Arizona Department of Corrections as follows:

Count 1: 16 calendar years from December 20, 2013
Presentence Incarceration Credit: 0 days
Presumptive

Count 2: 7.5 years from upon release from Count 1
Presentence Incarceration Credit: 0 days
Presumptive
This sentence is to be consecutive to Count 1.

Count 3: 7.5 years from December 20, 2013
Presentence Incarceration Credit: 0 days
Presumptive
Sentence is concurrent with Counts 1, 2, 4, and 5.

Count 4: 2.25 years from December 20, 2013
Presentence Incarceration Credit: 0 days
Presumptive
Sentence is concurrent with Counts 1, 2, 3, and 5.

Count 5: 2.25 years from December 20, 2013
Presentence Incarceration Credit: 0 days

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Presumptive

Sentence is concurrent with Counts 1, 2, 3, and 4.

The beginning date for all counts is December 20, 2013. The end date for all counts is June 20, 2037.

IT IS FURTHER ORDERED, pursuant to the probation terms in CR 2009-005967-001, the Defendant shall register as a sex offender.

IT IS FURTHER ORDERED that the Defendant be concurrently placed under the jurisdiction of the Psychiatric Security Review Board and committed to the Arizona State Hospital for the terms of the sentences.

IT IS FURTHER ORDERED that a hearing pursuant to A.R.S. Section 13-3994(F) occur no earlier than 120 days from this date.

IT IS FURTHER ORDERED that the Defendant not be held in confinement for more than two years without a hearing before the Psychiatric Security Review Board to determine if the Defendant should be released, conditionally released, or transferred to the Arizona Department of Corrections for the remainder of the sentence.

The Court advises Defendant of the rights of review and provides written notice of those rights.

IT IS ORDERED that the Clerk copy and send to the Arizona State Hospital copies of any medical or psychiatric reports previously filed. If any such reports had previously been sealed, the same shall be unsealed by the Clerk, photocopied and then resealed.

IT IS FURTHER ORDERED that counsel for the State furnish the Arizona State Hospital with copies of police reports or other reports which may aid in the commitment.

IT IS FURTHER ORDERED releasing the Defendant from custody except as ordered above and exonerating any bond, as to this cause only.

IT IS FURTHER ORDERED that any community supervision is waived, pursuant to A.R.S. §§ 13-603(K) and 41-1604.07(D), due to the probation tail in CR 2009-005967-001.

IT IS FURTHER ORDERED that the Sheriff shall immediately transport the Defendant to

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the Arizona State Hospital.

The State requests that restitution remain open.

IT IS ORDERED that restitution shall remain open for an additional 90 days from today's date. In the event a restitution hearing is set, the Defendant waives his presence.

IT IS FURTHER ORDERED that State's Exhibit 1 (blue binder of records) from the August 1, 2013 Evidentiary Hearing shall be filed under seal, not to be opened without prior order of the Court.

ISSUED: Order of Confinement to Arizona State Hospital

FILED: Notice of Rights of Review; Sealed Envelope

3:28 p.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine their mandatory participation in eFiling through AZTurboCourt.

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ HON. DAWN M. BERGIN
JUDGE OF THE SUPERIOR COURT

(right index fingerprint)